

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BANK OF THE PACIFIC,

Plaintiff,

vs.

F/V ELECTRA BLUE, Official Number  
567048 *in rem*; and FISHING BLUES,  
LLC, ZED BLUE and ROBIN BLUE,  
husband and wife, *in personam*,

Defendants,

IN ADMIRALTY

Case No. 2:20-cv-01103-RSM

DEFAULT JUDGMENT IN REM,  
JUDGMENT FORECLOSING PREFERRED  
MARINE MORTGAGE AND ORDER OF  
SALE

THIS MATTER came on regularly upon the motion of plaintiff, and the Court, having considered the records and files herein, and an Order of Default Rem having been entered, Dkt. # 23, now makes the following findings:

1. Plaintiff is entitled to a default judgment against the defendant vessel, no answer or statement of right or interest having been filed; and

2. Plaintiff's claim under its preferred marine mortgage is superior to that of any other claimant.

NOW THEREFORE, IT IS

1 ORDERED that the preferred marine mortgage on the F/V ELECTRA BLUE, Official  
 2 Number 567048, her engines, tackle, apparel, furniture, equipment, and appurtenances, including  
 3 crab pots, lines and buoys, in favor of plaintiff Bank of the Pacific is foreclosed; and it is further

4 ORDERED that Bank of the Pacific shall have judgment against defendant Fishing Blues,  
 5 LLC and the F/V ELECTRA BLUE, Official Number 567048, her engines, tackle, apparel,  
 6 furniture, equipment, and appurtenances, including crab pots, lines and buoys *in rem* for  
 7 508,302.28, plus interest at the rate of \$79.17 per day from November 24, 2020 through the date  
 8 of entry of this judgment, plus administrative expenses and attorneys' fees and costs as  
 9 subsequently approved by the Court; and it is further

10 ORDERED that the judgment granted shall bear interest at the contractual default rate set  
 11 forth in the Promissory Note secured by the Preferred Mortgage in the amount of \$79.17 per day  
 12 from the date of granting of this judgment until paid; and it is further

13 ORDERED that the U. S. Marshal shall, pursuant to the rules of the United States District  
 14 Court for the Western District of Washington, cause the F/V ELECTRA BLUE, Official Number  
 15 567048, her engines, tackle, apparel, furniture, equipment, and appurtenances (the "Vessel"),  
 16 including crab pots, lines and buoys (the "Crab Pots"), to be condemned and sold in accordance  
 17 with Supplemental Rule E, the Local Admiralty Rules, and the practices of this Court. The sale  
 18 of the Vessel and associated equipment, located in Bellingham, Washington, and the Crab Pots,  
 19 located in Westport, Washington may be conducted either as a single sale, or by separate sales, as  
 20 may be requested by plaintiff. The sale or sales shall be made at public auction to the highest and  
 21 best bidder, with the sale to be held alongside the vessel and sale of the Crab Pots, if conducted  
 22 separately, to be conducted at the storage location of the Crab Pots, on such dates and times  
 23 satisfactory to the U.S. Marshal to be determined after entry of this Order. Further, if the U.S.  
 24 Marshal deems it necessary, and with the consent of Plaintiff, the auction(s) may be conducted by  
 25 audiovisual teleconference technology; and it is further  
 26

1 ORDERED that at such sale, Bank of the Pacific, plaintiff, shall be permitted, but not  
 2 required, to bid in any part of the judgment and accrued interest here awarded without cash deposit;  
 3 and it is further

4 ORDERED that if, at the sale of the defendant vessel, the defendant vessel is sold to any  
 5 party other than plaintiff, the actual amount received by plaintiff from the sale after payment of  
 6 the U. S. Marshals charges shall be the net proceeds of sale to be credited against the judgment  
 7 granted herein but that, in the event plaintiff is the successful bidder at such sale, the amount to be  
 8 credited against the judgment shall be the proceeds of the subsequent sale by plaintiff of the  
 9 defendant vessel, net of all costs of repair, care, custody and sale; and it is further

10 ORDERED that the U. S. Marshal shall deposit the proceeds of the sale, if any, in the  
 11 Registry of the Court and the Clerk shall, after having paid all costs and administrative expenses  
 12 as approved by subsequent Order, pay to Bank of the Pacific, plaintiff, so much of the balance  
 13 remaining as is necessary to satisfy the judgment here awarded, and the clerk shall retain the  
 14 remainder of the proceeds, if any, in the Registry of the Court subject to further Order.

15  
 16 DATED this 14th day of January, 2021.

17  
 18  
 19 

20 RICARDO S. MARTINEZ

21 CHIEF UNITED STATES DISTRICT JUDGE

1 Presented by:

2 MILLER NASH GRAHAM & DUNN LLP

3 s/Jess G. Webster

Jess G. Webster, WSBA No. 11402

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